

AMENDED

Serial No. 61562

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 21 1995

Returned to applicant for correction. NOV 06 1995

Corrected application filed. DEC 13 1995 Map filed Proposed Aug 16, 1993 under 58837 Existing Mar 21, 1988 under 51751

The applicant. Douglas County Public Works

P. O. Box 218 of Minden City or Town

Nevada 89423 State and Zip Code No. hereby make application for permission to change the

Point of diversion, manner of use, and/or place of use of water heretofore appropriated under Permit Number 53124 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is. underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 0.061 CFS (26.26 Ac. Ft.) Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Quasi-municipal purposes (NO CHANGE) Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. Quasi-municipal purposes Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. within the SW 1/4 of the SW 1/4 of Section 18, T. 12 N., R. 21 E., M.D.M., at a point from which the SW corner of said distance to a section corner. If on unsurveyed land, it should be stated. Section 18 bears S 36°41'20" W, 124.70 feet distant. SEE MAP FILED UNDER PERMIT NO. 58837

6. The existing permitted point of diversion is located within. the SW 1/4 of the SE 1/4 of Section 2, T. 12 N., R. 20 E., M.D.M. at a point from which the E 1/2 corner of said Section 2 bears N 60° E, 2,920.00 feet distant. SEE MAP FILED UNDER PERMIT NO. 53124

7. Proposed place of use. the NW 1/4 of the SW 1/4 of Section 18, T. 12 N., R. 21 E., M.D.M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. SEE MAP FILED UNDER PERMIT NO. 58837

8. Existing place of use. a portion of E 1/2 SW 1/4, N 1/2 SE 1/4, N 1/2 SW 1/4 SE 1/4, Section 2, T. 12 N., R. 20 E., M.D.M., Douglas County, Nevada Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. SEE MAP FILED UNDER PERMIT NO. 53124

9. Use will be from. January 1st to December 31st of each year. Month and Day Month and Day

10. Use was permitted from. January 1st to December 31st of each year. Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well, water lines and storage tank. State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works.

13. Estimated time required to construct works.

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This water is being transferred to Douglas County to meet their requirements
for a series of Parcel Maps which will create new parcels in the Ruhenstroth
Area. Two of the Parcel Maps will bear the name of Patrick K. Elliott and
two of the Parcel Maps will bear the names of Heidi and Edward Sharp.

By s/ Paul Dean Higginbotham
Paul Dean Higginbotham SWRS No. 774
P. O. Box 425
Gardnerville, NV 89423-0425

Compared ds/ cmg dl/ cms

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 53124 is issued subject to the terms and conditions imposed in said Permit 53124 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0342 cubic feet per second, but not to exceed 18.18 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before N/A

Proof of completion of work shall be filed before N/A

Application of water to beneficial use shall be made on or before July 14, 2003

Proof of the application of water to beneficial use shall be filed on or before August 14, 2003

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 14th day of July

A.D. 1998

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued as a dedication for: six (6) parcels shown as Parcel No. 5 on the Ruhenstroth Land Division Map, Document No. 32080, identified as Parcels A,B,C, and D, and Parcels D-1, D-2, D-3, and D-4 (APN 29-110-14), all within the NE¼ SW¼ Section 19, T.12N., R.21E., M.D.B.&M.; and, three (3) parcels shown on Parcel Map No. 1 for Edward L. and Heidi O. Sharp, identified as Parcels A,B,C, and D (APN 29-502-10), all within the NW¼ SW¼ Section 24, T.12N., R.20E., M.D.B.&M.